

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
COLUMBUS DIVISION**

ZACHARY BOUVIER TAYLOR,

Petitioner,

v.

CYNTHIA NELSON, Warden,

Respondent.

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CASE NO. 4:08-CV-120-CDL-MSH

28 U.S.C. § 2254  
Habeas Corpus Petition

**REPORT AND RECOMMENDATION**

Petitioner filed his petition for writ of habeas corpus on August 22, 2008 (Doc. 1), but failed to pay the \$5.00 filing fee. On August 26, 2008, the Court ordered Petitioner to either pay the filing fee or file a proper motion to proceed *in forma pauperis*, which must include a certified copy of his prisoner trust account statement, within twenty days of receipt of the Order. (Doc. 3.) On September 8, 2008, Petitioner filed a motion to proceed *in forma pauperis*, but failed to attach a certified copy of his prisoner trust account statement. Petitioner filed a subsequent application for habeas relief on March 16, 2010, (Doc. 22), but has yet to pay his \$5.00 filing fee or file a proper motion to proceed *in forma pauperis*.

Petitioner's original application for habeas relief (Doc. 1) should be **DISMISSED** for the Petitioner's failure to comply with the Court's August 26, 2008 Order. Petitioner's subsequent petition for habeas relief (Doc. 22) should also be **DISMISSED** for Petitioner's failure to pay the \$5.00 filing fee or file a motion to proceed *in forma pauperis*, and for his failure to comply with 28 U.S.C. §§ 2244(b)(2) and (b)(3). It is further recommended that no additional pleadings be accepted for filing in this case except as authorized by the United

States Court of Appeals for the Eleventh Circuit. Pursuant to 28 U.S.C. § 636(b)(1), the Petitioner may serve and file written objections to this recommendation with the UNITED STATES DISTRICT JUDGE within fourteen (14) days after being served a copy of this recommendation.

**SO RECOMMENDED**, this 9th day of August, 2010.

S/Stephen Hyles  
UNITED STATES MAGISTRATE JUDGE

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